

**Maryland Department of the Environment
Clean Water Action Work Plan
FY 2014**

State: Maryland

Area of Focus: Concentrated Animal Feeding Operations (CAFOs)

Goal: Ensure that permitting and compliance activities related to CAFOs that discharge to surface waters meet regulatory and statutory objectives.

Objectives:

- 1) Ensure all CAFOs obtain NPDES permit coverage sufficient to meet the national program goals for CAFOs.
- 2) Permits issued to CAFOs are protective of water quality and, where applicable, meet the objectives of the Chesapeake Bay Total Maximum Daily Load (TMDL).
- 3) Ensure compliance monitoring and enforcement activities identify and address violations in a timely and appropriate manner.

EPA Activities:

- 1) EPA will oversee Maryland's (MD) CAFO program to ensure consistency with the federal CAFO regulations.
- 2) EPA will work with DE to address any deficiencies found in the *Review of Maryland's CAFO State Technical Standards* report dated December 14, 2012.
- 3) EPA will review MDE's March 2012 enforcement policy applicable to CAFOs.
- 4) EPA will work with MDE to track implementation of its Permitting and Compliance Strategies submitted June 21, 2011 (amended 12/7/2011) and request updates as necessary.
- 5) EPA will work with MDE to develop a FY 2014 compliance monitoring strategy (CMS) for the MD CAFO program as part of MDE's comprehensive NPDES CMS. EPA will work with MDE to address minimum data elements for reporting and a reporting mechanism to track CAFO compliance monitoring, enforcement, and permitting activities.
- 6) EPA will work with MDE to increase availability of CAFO data into the ICIS national database.
- 7) EPA will conduct Quarterly Enforcement Management (QEM) calls with MDE.
- 8) EPA will inspect at least 4 AFOs in a small watershed in Maryland to determine whether they are in compliance with legal requirements for reducing nitrogen, phosphorus, and sediment.

State Activities:

- 1) MDE will work with EPA to ensure that MD's CAFO program is consistent with the federal regulations for CAFOs.
- 2) MDE will work with EPA to review MD's technical standard and coordinate with the Maryland Department of Agriculture (MDA) as necessary. If appropriate, MDE will submit a schedule for revision of the DE technical standard to address any inconsistencies between the DE standard and federal requirements.
- 3) MDE will continue implementing the MD permit and compliance strategies.
- 4) MDE will take timely and appropriate enforcement pursuant to MDE and/or EPA enforcement policy.
- 5) MDE will develop and submit to EPA a FY 2014 CMS for the MD CAFO program as part of MDE's comprehensive FY 2014 CMS. MDE's CAFO CMS should ensure that all CAFOs are inspected within a five year period.
- 6) MDE with input from EPA will develop a template that includes minimum data elements for reporting, and a reporting mechanism to track CAFO compliance monitoring, enforcement, and permitting activities.
- 7) MDE should work with EPA to identify activities that will increase the availability of CAFO data into the ICIS national database.
- 8) MDE will participate in QEM calls to provide necessary information to support compliance and permitting activities.
- 9) MDE will participate in the watershed assessment and coordinate with MDA as necessary.

Measures:

- 1) Number of state inspections.
- 2) Number of annual report reviewed
- 3) Number and Percent of CAFOs with NPDES permit coverage
- 4) Number of enforcement actions

State Reporting:

- 1) Semi-annual reporting through the Section 106 grant reporting process (data reporting requirements for permitting and enforcement will developed with EPA).
- 2) Report outputs/outcomes per the Measures Section (semi-annual through Section 106 grant reporting process).
- 3) QEM calls to track status of CAFO noncompliance.